

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

CARL SIMS

CIVIL ACTION NO. 04-1359-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

WARDEN BURL CAIN

MAGISTRATE JUDGE HORNSBY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, and noting the lack of written objections filed by Petitioner and determining that the findings are correct under the applicable law;

IT IS ORDERED that Petitioner's application for writ of habeas corpus be **DENIED AND DISMISSED WITH PREJUDICE**, sua sponte, because it is time barred by the one-year limitation period imposed by the AEDPA.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 15th day of March, 2007.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE